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Attorney for Defendant
Dametric Marcel McGrue

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 1:05-cr-00120 OWW
)	
<i>Plaintiff,</i>)	STIPULATION TO CONTINUE STATUS
)	CONFERENCE AND SET MOTION BRIEFING
v.)	SCHEDULE; AND ORDER THEREON
)	
DAMETRIC MARCEL McGRUE,)	Date: September 6, 2005
)	Time: 1:30 p.m.
<i>Defendant.</i>)	Judge: Honorable Oliver W. Wanger
)	
_____)	

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, VIRNA L. SANTOS, Assistant United States Attorney, counsel for Plaintiff, and ERIC V. KERSTEN, Assistant Federal Defender, counsel for Defendant Dametric Marcel McGrue, that the date for status conference in this matter may be continued to September 6, 2005. It is also requested that a new motion briefing schedule be ordered. It is requested that any additional motions may be filed by August 18, 2005; that any response or opposition may be filed by September 1, 2005; and that status conference and hearing on the motions may be set for September 6, 2005. **The date currently set for status conference is August 2, 2005. The requested new date is September 6, 2005.**

The reason for this request is that defense investigation has revealed that a motion to suppress the evidence discovered during the search of Mr. McGrue's residence is appropriate in this matter and additional time is needed to complete said motion.

The parties agree that the delay resulting from the continuance shall be excluded as necessary for

effective defense preparation pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv), and for the filing of pretrial motions and ruling thereon pursuant to 18 U.S.C. §§ 3161(h)(1)(F).

McGREGOR W. SCOTT
United States Attorney

AUSA Santos has approved
of her electronic signature
being placed here

DATED: July 27, 2005

By VIRNA L. SANTOS
Assistant United States Attorney
Attorney for Plaintiff

QUIN DENVIR
Federal Public Defender

DATED: July 27, 2005

By /s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
Dametric Marcel McGrue

ORDER

IT IS SO ORDERED. The intervening period of delay is excluded in the interests of justice pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv).

DATED: August 2, 2005

/s/ OLIVER W. WANGER
OLIVER W. WANGER, Judge
United States District Court
Eastern District of California